

children, Taylor, Dale Jr., Kelley, and Kerry. Our hearts go out to them.

North Carolina has lost one of her favorite sons, and NASCAR has lost perhaps its greatest champion. Our prayers go out to his family, friends, and fans.

Mr. HELMS. Mr. President, I was so glad to hear my distinguished colleague from North Carolina talking about Dale Earnhardt. Dale was a remarkable citizen and individual. I knew him well. In fact, when the news came that he had died in the accident, I immediately arranged for a flag to be flown at half-mast over the Capitol to be sent to his widow for use at the funeral.

Dale had a good sense of humor, and he was not unaware of the risk involved in the business in which he chose to participate. I remember when he came to a dinner in Charlotte when I was running for reelection, and he and others had arranged for me to get a "Winston Cup" jacket, I think they called it. It was a thing that only race car drivers can wear with impunity. But I wear it every once in a while because I am so grateful for this industry—and that is what it is in North Carolina, a big business.

Dale Earnhardt was—how do you put it—an authentic American. There was no pretense about him. He was a hero to millions of stock car racing fans who followed his remarkable career as a seven-time Winston Cup champion when that fatal crash occurred on the last lap of the Daytona 500 on February 18.

North Carolina has lost a son and America has lost an incredible hero. Dale Earnhardt touched people whether or not they were fans of the motor sports. Growing up in North Carolina and working at what he loved, he was indeed remarkable. The passion he had for life did not end when he left the track. He carried it over to his family. He lived life to its fullest and loved every second of it.

Race fans throughout the world felt as if they had lost a member of their family—and they had. Known as "The Intimidator" for his aggressive driving style, Dale Earnhardt was a legend not only for his racing career, but for his having guided thousands of young people into useful, meaningful adulthoods. Dale Earnhardt is an inspiration to millions for allowing them to realize that a dream can be achieved.

The United States Senate family extends their deepest sympathy to Mrs. Earnhardt, their two sons and two daughters, and their other loved ones.

Mr. CAMPBELL. Mr. President, it is with great sorrow that I am recognizing today the loss of one of the greatest NASCAR drivers ever to get behind the wheel, Dale Earnhardt, who tragically died at this year's Daytona 500. The Nation not only lost an icon of the racing world, but also a great man.

Dale Earnhardt's career achievements are vast, better than most teams of drivers. In his 26 years of racing,

Dale won 76 races and secured seven Winston Cup Championships. But, the biggest accomplishment Dale earned is the respect and admiration of his fellow drivers and his fans through his hard work and dedication to the sport he loved. Everyone involved in racing will never forget what Dale has done for the sport and how his accomplishments have forever turned racing into a way of life.

He had an aggressive driving style that was rivaled by none, and revered by all. Dale Earnhardt set the standard by which every driver was measured. On the race track it was all business. Off the track he was a man with a huge heart and a tender way who always had time for fans and other racers. You can never replace a driver like Dale Earnhardt, but his legend will live on.

As a motorsports enthusiast myself and co-chair of the Congressional Motorsports Caucus, it is with regret for me to make this Senate floor statement. Today I invite my Senate colleagues to join me in sending my sincere condolences to the Earnhardt family and everyone that has been touched by the man known as the Intimidator on the race track. The number 3 car will be missed on the track. But, racing will go on, Dale would have wanted it that way.

BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA V. GARRETT SUPREME COURT CASE

Mr. THURMOND. Mr. President, during the Congressional recess last week, the Supreme Court issued an extremely important decision regarding the Americans with Disabilities Act and the principles of federalism. The decision, Board of Trustees of the University of Alabama v. Garrett, is one in a series of cases that is helping reassert the role of the States in our Federal system of Government.

The eleventh amendment to the Constitution prohibits States from being sued in Federal court by private citizens for money damages, unless the State consents. In the Garrett case, the Supreme Court said that based on this provision it is unconstitutional for the Congress to hold the States liable for private lawsuits under the ADA. The Congress did not or could not create a record of a pattern of discrimination by the States sufficient to meet the heavy burden required by the Constitution.

While the case referred to Title I of the ADA, which concerns employment discrimination, the reasoning of the Court should apply equally to all of the ADA and well beyond the ADA.

I would like to note just one example. In 1998, the Supreme Court held that the language of the ADA was clear enough to cover state and local prisons. I immediately introduced legislation to exclude State and local prisons from the ADA because I do not believe that the Congress considered the ADA applying to these institutions when it

passed the legislation. After all, the housing of prisoners is a core State function, with about 94 percent of prisoners being maintained in State and local facilities.

I have reintroduced the legislation, S. 34, in this Congress. However, this Supreme Court decision should be very beneficial in limiting the application of the ADA in the prison context on the State level even without the Congress amending the ADA. This is just an example of how this case will help keep the Federal Government out of areas that traditionally have been reserved to the States.

Far too often, the Congress ignores the principles of federalism and acts as though the States are subdivisions of the Federal Government. Decisions such as Garrett remind the Congress that this is simply not the case. The Constitution created a Federal Government of limited, enumerated powers, and those powers that the Constitution does not provide for the Federal Government are reserved to the States and to the people.

The Congress must do more to recognize the separation of powers between the Federal Government and the States. I am pleased that the Supreme Court is showing a renewed respect for the principles of federalism.

RULES OF THE FOREIGN RELATIONS COMMITTEE

Mr. HELMS. Mr. President, pursuant to the requirements of paragraph 2 of Senate rule XXVI, I ask to have printed in the RECORD the rules of the Committee on Foreign Relations for the 107th Congress adopted by the committee on February 7, 2001.

RULES OF THE COMMITTEE ON FOREIGN RELATIONS

(Adopted February 7, 2001)

RULE 1—JURISDICTION

(a) *Substantive.*—In accordance with Senate Rule XXV.1(j), the jurisdiction of the Committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.
10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).